

**In the United States District Court
For the Northern District of Ohio
Eastern Division**

96 th Street Development LLC)	
)	Case No. 1:09-CV-1261
)	
Plaintiff)	Judge: Christopher J. Boyko
)	
vs.)	Notice of Voluntary Dismissal
)	
Park View Federal Savings Bank, et al)	
)	
Defendants)	
)	

Now comes the Plaintiff who does hereby voluntarily dismisses the herein action pursuant to Federal Rule of Civil Procedure 41 (A) (1) (a) without prejudice. The grounds for said dismissal is that on June 19, 2009 the Defendant Park View Federal Savings Bank paid the Letter of Credit hereby rendering moot the herein action. No answers has been filed in the herein action.

IT IS SO ORDERED.

S/CHRISTOPHER A. BOYKO
U.S. DISTRICT COURT JUDGE

JUNE 22, 2009

Respectfully Submitted'

/s/ Gerald W. Phillips
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